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THE HON. SRI M. BHAKTAVATSALAM :—" Here, however, the Director of Information was not aware of the proceedings and therefore there was no occasion for him to exercise that discretion."

SRI R. SURYANARAYANA RAO :—" Sir, in a serious matter like this where an officer of the Government, the head of a department, is practically held guilty of contempt of court, will the Government see that the Director of Publicity is given the discretion or else let the Department themselves undertake to publish it, instead of making the Director of Publicity a scape-goat? "

THE HON. SRI M. BHAKTAVATSALAM :—" I have already said that the situation arising out of this judgment is under examination."

SRI R. SURYANARAYANA RAO :—" Is the Director of Publicity now competent to consult the Legal Department if he finds that any Press Communiqué or Press Note prepared by any department, in his opinion, infringes the law? "

THE HON. SRI M. BHAKTAVATSALAM :—" Certainly, Sir."

Appointment of Honorary Magistrates.

* 3 *Q*.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Education be pleased to state—

(*a*) what the procedure adopted in regard to the appointment of Honorary Magistrates of all classes in the City and the State was;

(*b*) whether there has recently been any change in the system and if so, what it is; and

(*c*) whether in the districts where the separation of the Judiciary from the Executive has been effected, the Collectors continue to be the recommending authorities?

THE HON. SRI K. MADHAVA MENON :—" (*a*) The procedure adopted in regard to the selection of persons for appointment as Honorary Magistrates prior to July 1949 is indicated in the appendix extracted from the relevant Government Orders.

" (*b*) The following changes have been made in the procedure :—

City—

(1) the Mayor of Madras is not a member of the selection committee.

(2) There is only one Member of the Legislature on the committee instead of one M.L.A. and one M.L.C.

(3) A non-official member has been included in the selection committee.

Mufassal—A non-official member has been included in the selection committee.

" (*c*) The answer is in the affirmative.

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City.

When vacancies arise, the Collector of Madras and the Chief Presidency Magistrate will prepare a list of suitable persons. This list should be placed before a selection committee consisting of—

(1) the Collector of Madras,

(2) the Chief Presidency Magistrate,

(3) the Commissioner of Police,

(4) the Mayor of Madras,

(5) one member of the Legislative Assembly to be nominated by the Government, and

(6) one member of the Legislative Council to be nominated by the Government.

The Committee will consider the names in the list and may suggest other persons whom it considers suitable. The Collector of Madras, the Chief Presidency Magistrate and the Commissioner of Police will consider the committee's views and draw up, for the consideration of Government, a list of those persons who, in their opinion, are suitable for appointment or re-appointment, in order of preference if they wish to do so.

Mufussal.

When vacancies arise, a selection committee consisting of the Subdivisional Magistrate, the Assistant or Deputy Superintendent of Police, or, in areas under his direct charge, the District Superintendent of Police and one member of the Legislative Assembly or Council to be nominated by the Government will, either at a meeting or in circulation, prepare a list of suitable persons; the Subdivisional Magistrate will submit the list to the District Magistrate with his own remarks, and the District Magistrate will recommend to Government one or more persons whom he considers suitable from the list; he is at liberty to recommend any persons who do not appear in the list but are, within his own knowledge suitable.

The procedure in the preceding paragraph will not apply to the appointment of honorary magistrates sitting singly which is a matter for the District Magistrate himself.

This is the old rule, Sir."

SRI R. SURYANARAYANA RAO :—" The Hon. Minister says that it is the old rule, but the present rule is . . ."

THE HON. SRI K. MADHAVA MENON :—" I also said that in the City the Mayor of Madras is not a member of the selection committee and in the mufassal, a non-official member has been included in the selection committee."

SRI R. SURYANARAYANA RAO :—" What is the circumstance that necessitated this change in the composition of the committee of selection? "

THE HON. SRI K. MADHAVA MENON :—" The committee was found too unwieldy."

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Sri R. SURYANARAYANA RAO :—" Does the presence of a Member of the Legislative Council and of the Legislative Assembly, make the committee unwieldy in the opinion of the Government? "

The Hon. Sri K. MADHAVA MENON :—" Even under the old rule in regard to the mufassal there was only one member of the Legislative Assembly or of the Legislative Council. We did not want to make any difference in the City or in the mufassal in regard to this matter."

Sri R. SURYANARAYANA RAO :—" Sir, what was the necessity to nominate an outsider to be a member of the committee, instead of a Member of the Legislature? "

The Hon. Sri K. MADHAVA MENON :—" There is a Member of the Legislature and there is also a non-official gentleman who is not a member of the Legislature in the present Committee."

Sri R. SURYANARAYANA RAO :—" Why has the Legislative Council been deprived of representation under the new rule? "

The Hon. Sri K. MADHAVA MENON :—" No, Sir, it can be a member of the Legislative Council or the Legislative Assembly. In many cases members of the Legislature have also been nominated."

Sri R. SURYANARAYANA RAO :—" In view of the fact that it is the District Magistrate that is responsible for the proper conduct of cases before these honorary magistrates, what is the necessity to take away the discretion of the District Magistrate in recommending persons either before or now? "

The Hon. Sri K. MADHAVA MENON :—" I do not know whether the hon. Member refers to clause (c) of the question."

Sri R. SURYANARAYANA RAO :—" I mean in general."

The Hon. Sri K. MADHAVA MENON :—" These committees are only recommendatory committees. The District Magistrate sends the proceedings of the committee with his own recommendation where he approves or makes alternative suggestions."

Sri R. SURYANARAYANA RAO :—" Sir, in regard to the answer to clause (c) may I take it that in districts where the separation of the judiciary from the executive has taken place, the Collectors continue to be the recommending authority without these selection committees? "

The Hon. Sri K. MADHAVA MENON :—" No, there the Collectors continue to be the recommendatory authority in consultation with the selection committees."

Janab ABDUL LATIF FAROOKHI :—" May I know, Sir, what are the directions that have been given by the Government for the selection of honorary magistrates, either in the City or in the mufassal? "

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THE HON. SRI K. MADHAVA MENON :—" No directions at all. They have to select proper persons who in their opinion are qualified by their honesty, integrity and reputation."

JANAB ABDUL LATIF FAROOKHI :—" Can officials who are still in office and are on leave preparatory to retirement, be nominated as honorary magistrates before their term of office expires? "

THE HON. SRI K. MADHAVA MENON :—" If the hon. Member means those who are in Government service, they cannot be, Sir."

JANAB ABDUL LATIF FAROOKHI :—" Will the Government enquire into cases of persons who are about to retire and who have been appointed or nominated as honorary magistrates? "

THE HON. SRI K. MADHAVA MENON :—" I think I can say with certainty that no person in service who is drawing pay from the Government can be appointed as an honorary magistrate and if any person has been appointed from a date on which he may retire, then he cannot be considered as having been appointed before retirement."

SRI R. SURYANARAYANA RAO :—" May I know whether these selection committees invite applications or the Chief Presidency Magistrate or the District Magistrates invite applications? "

THE HON. SRI K. MADHAVA MENON :—" Certainly I know they do not advertise, but I know a number of applications come to the Government and such applications must have also been sent to these selection committees."

JANAB ABDUL LATIF FAROOKHI :—" Can an official who is still in office be appointed as an honorary magistrate from a particular date after his retirement? Can such appointments be made while a person is still in Government service? "

THE HON. SRI K. MADHAVA MENON :—" An official can be appointed, for instance, in many cases sub-registrars and sub-magistrates are the presidents of bench courts. The president of such courts is appointed by the Collector and he can be an official."

JANAB ABDUL LATIF FAROOKHI :—" From the term 'honorary magistrates' generally people understand that it means, people who are not in Government service. So, can people who are in Government service be appointed as honorary magistrates? "

THE HON. SRI K. MADHAVA MENON :—" As every one knows, persons who do not get any remuneration for the work they do as magistrates are called honorary magistrates. As I said, Government servants who are in service can be presidents of bench courts and it is a matter known to hon. Members that in the mufassal sub-magistrates or sub-registrars in certain cases are presidents of bench courts."

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SRI R. SURYANARAYANA RAO :—" Why did the Government think it necessary to omit the Mayor of Madras, the first citizen of the City, from the selection committee? "

THE HON. SRI K. MADHAVA MENON :—" We did not want the Mayor to be entangled in the various applications that may come and in the recommendations in regard to these matters. Again, the Corporation is one of the bodies which sends the largest amount of work to bench courts and it was thought better that the Mayor was not made a party for the selection of persons who are to sit in judgment and decide those matters."

MRS. M. N. CLUBWALA :—" Will the Hon. Minister be pleased to enquire into the unfair propaganda carried on against juvenile courts magistrates and if so, what steps he proposes to take to redeem the honour of the juvenile court magistrates who, as far as I know, are not being treated fairly? "

MR. CHAIRMAN :—" I do not know whether the Hon. Minister will be prepared to answer the question."

THE HON. SRI K. MADHAVA MENON :—" There is no unfair comment so far as I know about these juvenile courts. But, I can say, they are now doing splendid work and it will be in the interests of everybody if the hon. Member herself tries to do propaganda against false rumours."

MRS. M. N. CLUBWALA :—" I beg your pardon, Sir. It 11-15 a.m. was in papers and the Hon. Minister might have read it. Already there was a deputation to the Chief Presidency Magistrate expressing our resentment at the great deal of unfair propaganda which, we can prove, is being carried on by people who have no idea of the work the juvenile court magistrates are turning out? "

THE HON. SRI K. MADHAVA MENON :—" Unfair propaganda is going on not only regarding the good work of the juvenile court magistrates but many others who have good work to their credit."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, if the committee is also selecting juvenile court magistrates? "

THE HON. SRI K. MADHAVA MENON :—" Yes, Sir. They are also honorary magistrates and the presidency magistrate allots them to the juvenile court."

Starting of Fruit Farms attached to each Research Station.

* 4 *Q.*—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) whether the proposal to start fruit farms attached to each Research Station has been given effect to; and

(*b*) if the answer to (*a*) is in the affirmative, what the Research Stations are where fruit farms have been started and when such farms can be expected to come into existence in the remaining Research Stations?